

## **REMARKS**

### **I. General**

Claims 1-48 are pending in the present application. The present Office Action (mailed September 18, 2006) rejects claims 1, 2, and 7-12, objects to claims 3-6 and 13-16 as being allowable if rewritten in independent form, and indicates that claims 17-48 are allowed. Applicant appreciates the Examiner's indication of allowance of claims 17-48, and addresses the rejections raised for the other claims further herein. The present Office Action raises the following issues:

- Claim 12 is rejected under 35 U.S.C. §112, second paragraph;
- Claims 1, 2, 7-9, and 11 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,844,814 to Chin et al. (hereinafter "*Chin*"); and
- Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over *Chin*.

Applicant respectfully traverses the outstanding claim rejections raised in the current Office Action, and requests reconsideration and withdrawal thereof in light of the amendments and remarks presented herein.

### **II. Amendments**

Claim 12 is amended herein to delete the word "the" before the word "times" to alleviate the lack of antecedent basis for the word "times". This amendment does not narrow the scope of the claim, nor is it being made to distinguish the claim from the prior art; rather, this amendment is intended solely as a cosmetic change. Also, no new matter is added by this amendment.

### **III. Rejections Under 35 U.S.C. §102(e)**

Claims 1, 2, 7-9, and 11 are rejected under 35 U.S.C. §102(e) as being anticipated by *Chin*. To anticipate a claim under 35 U.S.C. §102, a single reference must teach every

element of the claim, *see* M.P.E.P. § 2131. As discussed below, Applicant respectfully traverses this rejection because *Chin* fails to teach all elements of the claims.

Independent Claim 1

Claim 1 recites:

A method comprising:  
using at least one mobile data collector, having mobility that is unpredictable to a wireless sensor network, for performing at least one of data collection from and data communication to at least one sensor in said wireless sensor network. (Emphasis added).

*Chin* fails to teach at least the above-emphasized element of claim 1. While *Chin* mentions that a base unit can be mobile, it fails to teach that the base unit has mobility that is unpredictable to the wireless sensor network. Further, the operation of the wireless sensor network taught by *Chin* appears to rely upon any such mobility being predictable because, for example, the communication is performed according to a predetermined communication schedule (thus, presuming that any mobility of the base unit is predictable such that it is in place for communication with the wireless sensor network according to the fixed schedule). *Chin* is discussed further below.

Col. 4, lines 35-41 of *Chin* provides:

Referring now to FIG. 2, a deployed sensor network 20 will typically include one or more base units 21 that serve to ultimately receive the sensor data from the dispersed wireless sensor platforms 10. Such a base unit 21 can be a fixed-location platform or can be mobile as appropriate to the needs of a given application.

Thus, this mentions that the base unit 21 may be mobile, but fails to teach that the mobility is unpredictable to the wireless sensor network. Further, throughout the teaching of *Chin*, it makes clear that the communication is conducted according to a fixed, predetermined schedule, *see e.g.*, col. 3, lines 53-56, col. 4, lines 12-17, col. 4, lines 55-61, col. 5, lines 6-9, col. 5, lines 21-24, col. 5, lines 35-38, col. 5, lines 47-53 (and *see* FIG. 5) of *Chin*. Also, *Chin* appears to presume that the base unit 21 is suitably positioned for communicating with the wireless network according to such a fixed, predetermined schedule, *see e.g.*, col. 5, lines 1-6 of *Chin*. Thus, to the extent that the base unit is mobile in *Chin*, the operation of *Chin*

appears to depend on such base unit's mobility being predictable (e.g., such that the base unit is appropriately positioned according to a predetermined, fixed schedule). This is similar to the exemplary technique discussed with reference to FIGURE 2 in the present application, *see* paragraphs 0029-0030 of the present application, in which a mobile collector has predictable mobility.

In view of the above, *Chin* fails to teach that the base unit has mobility that is unpredictable to the wireless sensor network. Accordingly, *Chin* fails to anticipate claim 1 under 35 U.S.C. §102(e), and therefore Applicant respectfully requests that this rejection be withdrawn.

#### Dependent Claims

Claims 2, 7-9, and 11 each depend either directly or indirectly from independent claim 1, and are thus likewise believed to be allowable at least based on their dependency from independent claim 1 for the reasons discussed above. Accordingly, Applicant respectfully requests that the rejection of claims 2, 7-9, and 11 also be withdrawn.

#### **IV. Rejection Under 35 U.S.C. §103(a)**

Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over *Chin*. Claim 10 depends from independent claim 1, and is thus likewise believed to be allowable at least based on its dependency from independent claim 1 for the reasons discussed above. Accordingly, Applicant respectfully requests that the rejection of claim 10 also be withdrawn.

## V. Conclusion

In view of the above, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-1078, under Order No. 10030838-1 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Label No. EV 568241079US in an envelope addressed to: M/S Amendment, Commissioner for Patents, Alexandria, VA 22313.

Date of Deposit: October 17, 2006

Typed Name: Gail L. Miller

Signature: Gail L. Miller

Respectfully submitted,

By: 

Jody C. Bishop

Attorney/Agent for Applicant(s)

Reg. No. 44,034

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Telephone No. (214) 855-8007